

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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DEREK TURNER,

Plaintiff,

Case No. 1:09-cv-665

v.

Honorable Paul L. Maloney

CINDI S. CURTIN et al.,

Defendants.

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**ORDER**

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. On September 30, 2009, the Court entered an order requiring Petitioner to file an amended complaint on the form provided by the Court (docket #6). The Court allowed thirty days for Plaintiff to comply. Plaintiff was warned that if he failed to comply, the Court would dismiss his case without prejudice.

More than thirty days have elapsed and Plaintiff has not filed an amended complaint on the form. Because Plaintiff failed to comply with the Court's order, the Court will issue a judgment dismissing the case without prejudice for lack of prosecution. Plaintiff shall remain liable for payment of the \$350.00 civil action filing fee. *See In re Alea*, 286 F.3d 378, 380-81 (6th Cir. 2002); *McGore v. Wrigglesworth*, 114 F.3d 601, 604 (6th Cir. 1997).

IT IS SO ORDERED.

Dated: November 13, 2009

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge